United Nations A/64/273

General Assembly

Distr.: General
7 August 2009

Original: English

Sixty-fourth session
Item 71 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the United Nations Special Rapporteur on the right to education

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report on the right to education submitted by Vernor Muñoz, Special Rapporteur on the right to education, in accordance with Human Rights Council resolution 8/4.

* A/64/150.

09-45103 (E) 030909

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Summary

The present report is submitted pursuant to Human Rights Council resolution 8/4, which renewed the mandate of the Special Rapporteur on the right to education and asked him to present a report to the General Assembly. The Special Rapporteur presents a summary of the activities he participated in and attended in the discharge of his mandate, covering the period since the finalization of the last report presented to the General Assembly (A/63/292).

The Special Rapporteur then raises the issue of lifelong learning and human rights. As learning must be seen as a lifelong experience, it remains an incomplete process. Thus lifelong learning encompasses formal, informal and non-formal education. Initiatives launched to promote lifelong learning on the national as well as international level, in both governmental and non-governmental sectors, are shown in the present report. The Special Rapporteur is of the opinion that lifelong learning needs to move closer to the context of human rights, as this is essential for progression to a society free from all forms of prejudice, exclusion and discrimination and the realization of a global human rights culture. The Special Rapporteur also presents the concept of human rights learning and shows its mutual interdependence with lifelong learning, and draws upon a number of concepts and initiatives concerning human rights learning that he has seen in practice.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 8/4, adopted on 18 June 2008, which requested the mandate to report also to the General Assembly.

2. In June 2009, the Special Rapporteur attended the eleventh session of the Human Rights Council and presented his annual thematic report, which focused on the right of persons in detention to education.[1] Persons in detention face endemic violations of their right to education. The report demonstrated a need to redouble efforts to respect, protect and fulfil that right. The report showed that prisoners faced significant and complex educational challenges, due to a range of environmental, social, organizational, and individual factors. The preparation of the report benefited greatly from the active and constructive engagement of many Governments, international organizations, academics, non-governmental organizations and prisoners. The Special Rapporteur sent a comprehensive questionnaire to all Member States and a number of intergovernmental and non-governmental organizations. The answers received offered a wealth of different perspectives on education in detention, which form the basis of a number of recommendations contained in the report.

3. The Special Rapporteur also presented, as addenda to that report, the summary of communications received and sent in relation to the discharge of his mandate,[2] as well as the report of his mission to Guatemala[3] (July 2008), and to Malaysia[4] (February 2007), which could not be presented at an earlier stage.

4. Since presenting his last report to the General Assembly, the Special Rapporteur has undertaken a mission to Paraguay (April 2009) and is to undertake a mission to Mongolia (October 2009), on which he will report to the Human Rights Council at the next cycle of presentation of reports.

II. Activities of the Special Rapporteur

5. The Special Rapporteur thought it important to present a summary of the activities he participated in and attended in the discharge of his mandate, since the finalization of the last report presented to the General Assembly.[5]

6. The Special Rapporteur gave a keynote speech at a workshop organized by the Colombian Coalition for the Right to Education (Campaña colombiana por el derecho a la educación) and the Latin American Campaign for the Right to Education (Campaña latinoamericana por el derecho a la educación, CLADE) on 11 and 12 August 2008, in Bogotá. The workshop presented the latest report of the Special Rapporteur on education in emergencies. It served to interchange and reinforce strategies for the right to education between CLADE and its Colombian counterpart and to organize a specific seminar free in Colombia with the participation of local organizations from civil society.

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[1] A/HRC/11/8.
[2] A/HRC/11/8/Add.1.
[3] A/HRC/11/8/Add.3.
[4] A/HRC/11/8/Add.2.
[5] A/63/292.

7. On 3 September 2008, the Special Rapporteur was invited as a lecturer to the symposium "All kids are VIPs — Integration through Education — Fairness for All" in Gütersloh, Germany, organized by the Bertelsmann Foundation, with representatives from business, politics, migrant organizations and academia. The symposium discussed strategies for promoting integration and harnessing the learning potential of students of immigrant origins in schools.

8. On 19 September 2008, the Special Rapporteur participated as the keynote speaker at the Day of General Discussion dedicated to "The right of the child to education in emergency situations" organized by the Committee on the Rights of the Child in Geneva. The purpose of the Day of General Discussion was to foster a deeper understanding of the contents and implications of the Convention on the Rights of the Child as they relate to articles 28 and 29. Representatives of Governments, United Nations human rights mechanisms, United Nations bodies and specialized agencies, as well as national human rights institutions, non-governmental organizations and individual experts were invited to take part. The discussion focused on issues which have proved most problematic for States Parties to address, and for which States were to benefit from the views and experiences of the wide range of partners the discussion day was able to bring together. The meeting was divided into two working groups: one focused on the implementation of article 28 of the Convention on the Rights of the Child, concerning access to education, in the context of emergencies, with a particular focus on education as a right and how this is fulfilled. This group discussed how to prioritize education as an emergency measure, as an essential protection tool and one which must be included in the humanitarian response from the very beginning of the emergency through to the development phase, allowing for the continuation of children's education and building their future capacities. The other group focused on the implementation of article 29 of the Convention on the Rights of the Child, concerning the content of education, considering the particular educational rights and needs of children in emergency situations, including the role of education as a life-saving measure. At the end of its 49th session, the Committee adopted a set of recommendations aimed at improving the implementation of the Convention.

9. On 15 October 2008, the Special Rapporteur was invited to participate in the International Conference on Education in Emergency Situations organized by Save the Children in Rome. At that conference, the results of a two-year research project conducted by that organization, together with partners, were presented and the campaign "Rewrite the Future" was updated with a new report from war-torn and post-conflict countries. The Special Rapporteur also had the opportunity to meet with the Inter-ministerial Committee on Human Rights of Italy during that visit.

10. From 25 to 28 November 2008, the International Conference on Education was held in Geneva. The Special Rapporteur was invited to the conference and moderated the workshop entitled "Inclusive Education: Public Policies" on 26 November 2008. The Conference was attended by Ministers of Education and delegations from 153 Member States, along with representatives of 20 intergovernmental organizations, 25 non-governmental organizations, foundations and other institutions of civil society, and focused on the theme "Inclusive education: the way of the future". The participants affirmed that inclusive quality education was fundamental to achieving human, social and economic development, agreed that Governments, as well as all other social actors, had an important role in providing a quality education for all and, in doing so, should

recognize the importance of a broadened concept of inclusive education that addressed the diverse needs of all learners and that was relevant, equitable and effective. The Conference concluded that, despite the current global financial crisis, funding for education should remain a priority and the crisis should not serve as a justification for a reduction in the allocation of resources to education at both the national and international levels.

11. On 15 and 16 December 2008, the Special Rapporteur, along with representatives of United Nations human rights treaty bodies, participated in the inaugural session of the Forum on Minority Issues held at Geneva. The Forum, organized under the guidance of the Independent Expert on minority issues, Gay McDougall, gathered participants from Member States, non-governmental organizations, and academic institutions from all over the world to discuss the issue of "Minorities and the Right to Education". A number of experts, most of them belonging to minority groups and representing all regions of the world, were invited to share their experiences regarding access to education for members of minority groups.

12. From 2 to 6 January 2009, the Special Rapporteur attended the international congress on "The Preventive System and Human Rights" promoted by the Youth Ministry Department of the Salesian Congregation in Rome, which focused on the importance of human rights education and education for human rights towards world citizenship. More than 300 participants, including many educators, from 130 countries took part in the World Congress, which aimed at networking and exchanging best practices and experiences of the Don Bosco Preventive System.

13. From 5 to 7 March 2009, the Special Rapporteur participated in the "International Seminar on gender violence and sexual and reproductive health" organized by Eurosocial (Regional Project for Social Cohesion in Health in Latin America) in San José, Costa Rica. The seminar gathered representatives from the health and education sectors, as well as human rights activists, physicians and academics from the entire Latin American region.

14. On 11 and 12 March 2009, the Special Rapporteur attended the international conference entitled "Where peace begins: the pivotal role of education for lasting peace", organized by Save the Children, the Norwegian Foreign Ministry and the Government of Bosnia and Herzegovina, which was in Sarajevo. Participants included mediators and peace practitioners, Government officials, Nobel Peace Prize laureates, education authorities and experts, United Nations and civil society representatives. The aim of the conference was to strengthen the coordination of, and commitment to, international efforts to integrate education in peacemaking processes, examine why education needs to be prioritized in peace processes, how quality education promotes peace, and the role of education in peace mediation. The conference was also an opportunity to contribute to the conclusions of the March 2009 United Nations General Assembly thematic debate on education in emergencies which followed shortly thereafter.

15. On 18 March 2009, the Special Rapporteur was invited to participate in an informal General Assembly thematic debate on education in emergencies, organized by the President of the General Assembly at United Nations Headquarters in New York. The debate was opened by the Secretary-General and the Special Envoy of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on basic and higher education and three different panels were organized: Rights and

promises: education in emergencies: why we need to act now; Practicalities and possibilities: how to make it work; and Shared accountability: ways to move forward. The thematic debate was organized to highlight the critical importance of education in emergencies, to remind Member States of their commitments and obligations, and to provide clear guidance on the practicalities and possibilities of providing education in emergencies. States were also reminded of their obligation to provide children with quality education, and the international community was made aware that its experience and expertise could provide guidance on how this could and should be achieved.

16. On 28 and 29 May 2009, the Special Rapporteur was the keynote speaker at the Conference on the Institutionalization of Democracy and Human Rights in Education for the Southern African Development Community in Johannesburg, South Africa. The Conference, organized by the Open Society Institute of Southern Africa and partners, focused on the institutionalization of democracy and human rights in education, education in conflict and post-conflict situations and on the regional integration and dialogue on democracy and human rights in education. Participants included Government officials, academics and human rights activists from southern African countries.

17. On 7 June 2009, the Special Rapporteur attended a conference on inclusive education in Oldenburg, Germany, organized by the city of Oldenburg and various local civil society organizations, entitled "Education is a right, not a commodity". At that conference, the Special Rapporteur presented his activities and examples of various thematic and mission reports, and gave examples of inclusive education and the danger of the privatization of education. The situation of persons with disabilities, as well as persons from migrant backgrounds and their access to education, were also discussed.

18. From 24 to 26 July 2009, the Special Rapporteur held meetings with civil society organizations in Guatemala City and partners, and on 25 July, he attended a Forum organized by PRODESA, entitled "The situation of education of indigenous peoples" and a meeting on "Monitoring the recommendations of the Special Rapporteur on the right to education" in Sololá City.

19. From 4 to 8 August 2009, the Special Rapporteur was invited by the Latin American Campaign for the Right to Education (Campaña Latinoamericana por el Derecho a la Educación, CLADE) to participate in a meeting on the planning of strategies against discrimination in education, on the Campaign for the ratification of the Convention against Discrimination in Education (UNESCO, 1960) and on regional strategies before the Inter-American Commission on Human Rights. The meeting was followed by the second meeting of the Deliberative Council of the Regional Fund of the Civil Society for Education (Fondo Regional de la Sociedad Civil para la Educación — FRESCE), in São Paulo, Brazil.

III. Lifelong learning and human rights

A. Background

20. For the Special Rapporteur, the purpose of education is to construct useful knowledge that will enhance people's lives.[6] Learning is unavoidable, as action entails knowledge and, conversely, knowledge implies action.[7] Therefore, learning may be discussed as a human right in order to teach how to learn as one of the most important pedagogical objectives.[8]

21. To learn means to adapt to and collaborate with others, as well as to transform the environment. It is the process by means of which we communicate, propose ideas and carry them through; it becomes society's organizing principle. Learning is an essential element of life, a phenomenon that makes evolution possible.

22. The learning process impacts upon human beings by means of cognitive processes that are representative of culture and society. Although the learning process is inherent to humans, it can also be stimulated and developed through education. Human rights protect learning from an ethical and legal point of view. Accordingly, the Special Rapporteur has referred to the right to learn as a higher right, as it protects vital processes.[9] The right to learn should also be seen as a cognitive process because it involves reflexive and practical actions carried out during everyday tasks. This process also departs from the reality of a learning society and can also fully grow in a context that has been defined by Hugo Assmann as a "cognitive ecology"[10] and in which all human beings participate.

23. Education boosts the learning process and gives it a holistic meaning, therefore becoming a reference point and a stimulus to it.[11] Education also has a unique quality that enables it to be present already shortly after birth, and to play an important role throughout the lifespan of every individual.

24. Education therefore simultaneously encompasses our past and future; it is an aspect of life that comprehends everything that makes human development possible. It is thus an organizing principle of every society. However, it can also organize, entrench and strengthen prejudice, exclusion and discrimination. National educational systems should aim to prevent this from occurring.

25. The construction of national educational systems, beginning with the industrial revolution and the building of the modern nation state, has been based on macroeconomic considerations that have accentuated societal and patriarchal inequalities and asymmetries. This societal framework has given form to educational languages, concepts and models and has had a dramatic impact on the institution of learning by validating and reproducing stereotypes, prejudices and inequities.

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[6] See http://www2.ohchr.org/english/issues/education/rapporteur/index.htm.

[7] See Maturana, H. and Varela, F. G., *El arbol del conocimiento*, Editorial Universitaria, Santiago de Chile, 1998, p. 13.

[8] Muñoz V., "One word encompassing many worlds: notes on education for the XXIst century", http://www.volint.it/scuola/web_congress/documenti/munoz_4jan_en.pdf, p. 4.

[9] Ibid., note 7.

[10] Assmann, Hugo, "Placer y ternura en la educación, hacia una sociedad aprendiente"; Narcea, Madrid, 2002.

[11] Ibid., note 7.

26. The existence of such a structure that binds practically all social, political, economic and cultural relationships constitutes a formidable barrier to progress in the realization of human rights.[12] Poverty and limited access to education, health and other services already contribute to the denial of economic, social and cultural rights to historically discriminated groups. However, societal traditions multiply the obstacles that prevent discriminated groups from fully participating in decision-making processes.[13] This situation is also reflected in the framework of societal inequalities and asymmetries, which promote the myth of macroeconomic development being the main objective of education, which is usually considered merely an expense and a form of service subordinate to the interests of the economy and not a human right.

27. However, economic growth does not always lead to human development, nor does an adequate budget for education guarantee that resources will be invested to the benefit of those who need them the most. It is therefore improper to consider the fulfilment of the right to education as a determining factor of productive or commercial efficiency, especially since there is also no clear relationship between per capita income and social equity. Furthermore, this utilitarian perspective is detrimental to the dignity of traditionally discriminated groups, as it draws attention away from their needs and misstates the essential objectives of education. This paradigm has failed to raise the awareness of Governments and financial organizations and has resulted in delays or refusals to modify public policies that validate and perpetuate discrimination.

28. Therefore, educational systems must change and move beyond the paradigm of considering education as an expense that promotes macroeconomic development and perpetuates the essentially discriminatory socio-economic environment. This reveals the failure of some educational reforms, where it was hoped that education would alleviate social and economic problems that Governments could not resolve directly.

29. While access to learning is a vital component of the right to education, on its own it is no indicator of quality, effectiveness or ultimate purpose. Promoting high-quality education based on the study, experience and daily practice of human rights is essential to the construction of a society free of all forms of prejudice, exclusion and discrimination.[14] Moreover, learning is a process that encompasses the lifespan of every individual and thus must be seen as a lifelong experience. It is also essential that this lifelong process moves closer to human rights in order to help move individuals and societies towards the realization of a human rights culture.

B. Concept of lifelong learning

30. The notions that lie at the heart of lifelong learning have a long history. Plato (427-348 B.C.) already indicated that education and learning are not restricted to formal institutions. Other cultures have been described as witnessing comparable

[12] Lagarde y de los Ríos, M., *Los cautiverios de las mujeres: madresposas, monjas, putas, presas y locas*, Universidad Nacional Autónoma de México.

[13] Bourdieu, P., *La domination masculine*, Editions du Seuil, Paris, 1999.

[14] See E/CN.4/2005/50.

discourses on lifelong learning, the origins of which can be traced to their own traditions and the work of intellectuals, such as Confucius (551-479 B.C.).[15]

31. Nevertheless, the widespread acceptance and practice of lifelong learning remains a relatively recent phenomenon, which may be explained by considering the modern global context. This is characterized by economic uncertainty, international instability, technological advances, increased geographical mobility, increased population displacement and increased cultural diversity. Pervasive discrimination contributes to, and is found deep within, each of these characteristics. Our learning needs are inextricably linked with this changing environment.

32. The term lifelong learning is said to have been coined by adult educators. They wished to dispel the myth that most learning takes place "in two stages", namely primary and secondary, which may sometimes be extended by tertiary education.[16] Education is limited neither to the sphere of formal education, nor to the experiences of children and students.

33. Instead, learning must be recognized to be a lifelong experience. Many scholars argue that the largest part of learning occurs in an informal or non-formal setting, with formal education associated with the attainment of qualifications constituting a minor part of total learning.[17] Lifelong learning aims to improve individuals' knowledge, understanding, abilities and capabilities in all contexts, including personal, societal and professional.[18]

34. Three complementary terms are frequently used when considering different forms of learning activity, namely "formal", "informal" and "non-formal" education. Their exact definition varies according to the given context, which includes geographical, cultural and temporal considerations. Nevertheless, formal learning is generally described as being intentional, taking place in a formal setting and having clear learning objectives. Informal learning, in contrast, is unintentional and follows on from everyday experience. Non-formal learning may be understood as existing between those two extremes. It is intentional and fairly structured. However, the activity that results in non-formal learning may be neither intended nor traditionally described as being a learning activity.[19]

35. Several attempts have also been made to identify and list possible physical contexts for lifelong learning. Regular schooling on primary, secondary and tertiary levels can, for example, be supplemented by home schooling, adult education, continuing education, professional development, on-the-job training, literacy groups, study circles or self-directed learning.[20]

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[15] Aspin, D. N., Chapman, J., Hatton, M., and Sawano, Y. (eds.), *International Handbook of Lifelong Learning*, 2001, Springer, p. xvii.

[16] Traynor, G. J., *Lifelong Learning*, http://www.sydneycommunitycollege.com.au/p. 956.

[17] Aspin et al., 2001, op. cit.

[18] Commission of the European Communities, "Making a European Area of Lifelong Learning a Reality" (COM(2001) 678 final), Brussels, 21.11.2001, p. 10.

[19] Werquin, P., Recognition of non-formal and informal learning in OECD countries: A very good idea in jeopardy? *Lifelong Learning in Europe*, Vol. 3, 2008, p. 44.

[20] Aspin, D. N. and Chapman, J. D, Lifelong Learning Concepts and Conceptions, In D. N. Aspin (ed.), *Philosophical Perspectives on Lifelong Learning*, Springer, 2007.

C. Initiatives promoting lifelong learning

36. An understanding of the broad scope and possible implications of lifelong learning can be greatly illustrated by a consideration of practical examples. Action takes place on a national level, through, for example, the establishment of specific units and departments dedicated to lifelong learning. At the same time a number of intergovernmental bodies and organizations have either taken up the issue of lifelong learning or have been formed to further it. The following recent case studies aim to be illustrative but not all-inclusive.

37. In 2001, the European Commission adopted a communication entitled "Making a European area of lifelong learning a reality", which presented the European Union's understanding of lifelong learning and outlined its priorities for action.[21] The following year, the Council of the European Union passed a resolution that also treated lifelong learning. Those two documents, among others, stress that lifelong learning plays an important role in ensuring the employability of individuals, as well as the competitiveness of the European Union market as a whole. Furthermore, lifelong learning is viewed as contributing to social inclusion, active citizenship and personal development.[22] To assist member States in implementing the ideas contained within such documents, numerous educational and training initiatives have been integrated into the European Union Lifelong Learning Programme, which, in 2007, replaced previous education, vocational training and e-Learning programmes.[23]

38. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has launched numerous initiatives related to lifelong learning. The Education for All movement, for example, began in 1990 and was renewed a decade later.[24] In 2003, UNESCO launched the United Nations Literacy Decade, which aims to reach both illiterate adults and out-of-school children.[25] Alongside such programmes stand more permanent structures; for instance, a series of International Conferences on Adult Education has been and continues to be organized.[26] Of perhaps the greatest significance, however, is the existence of the UNESCO Institute for Lifelong Learning, which is run as a non-profit institute and is one of six international UNESCO educational institutes. It conducts research and training,

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[21] Aspin et al., 2001, op. cit.

[22] Commission of the European Communities, *Adult learning: it is never too late to learn* (COM(2006) 614 final), Brussels, 23.10.2006, p. 2.

[23] Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: an updated strategic framework for European cooperation in education and training* (COM (2008) 865 final), Brussels, 16.12.2008; and Council of the European Union, *Draft 2008 joint progress report of the Council and the Commission on the implementation of the "Education & Training 2010" work programme "Delivering lifelong learning for knowledge, creativity and innovation" — Adoption* (5723/08 EDUC 29/SOC 46), Brussels, 31.01.2008. See http://ec.europa.eu/education/lifelong-learning-programme/doc78_en.htm.

[24] UNESCO, *EFA Global Monitoring Report, Overcoming Inequality: Why Governance Matters*; Oxford University Press, 2009. See also http://www.unesco.org/uil/en/focus/educforall.htm.

[25] UNESCO, *The Global Literary Challenge, A profile of youth and adult literacy at the mid-point of the United Nations Literacy Decade 2003-2012*, Paris, 2008. See also http://www.unesco.org/uil/en/focus/unliteracy.htm.

[26] UNESCO, http://www.unesco.org/en/confinteavi/.

collects information, documents observations and produces publications relating to literacy, non-formal education, adult and lifelong learning.[27]

39. A third example of intergovernmental action taken to further lifelong learning is offered by an organization called the Commonwealth of Learning. Created voluntarily by heads of Government of States belonging to the Commonwealth, the organization encourages the development and distribution of open learning as well as distance education. It does so through both country-specific and regional programmes and initiatives. In addition, the Commonwealth of Learning offers so-called "fee-for-service" consulting for international bodies and national Governments.[28]

40. On a national level, many universities have formal units dedicated to lifelong learning, while some Governments have set up specific departments. An example is the Academy of Lifelong Learning, which is located within the University of Delaware in the United States of America. Such academies promote lifelong learning among mature age students.[29] In the United Kingdom of Great Britain and Northern Ireland, the Scottish parliament has established a Lifelong Learning Department responsible for higher and further education.[30] Some Government initiatives do not necessarily need to exist as permanent Governmental institutions. Since 1996, Slovenia has been hosting an annual, national Lifelong Learning Week. Following year-long projects and preparations, the Lifelong Learning Week features around 4,000 different events related to learning, education and training.[31]

41. Furthermore, Governments may work together with civil society actors in establishing and implementing lifelong learning initiatives. On the African continent, literacy programmes often constitute a key first stage of basic adult education.[32] The Kenya Post-Literacy Programme is illustrative of a programme that was launched by a local non-governmental organization, but that later received Government support. The success of the Kenya Post-Literacy Programme in providing opportunities for Kenyans to continue learning after graduating from existing basic literacy programmes saw it not only expand from a regional to a national programme, but also receive full Government funding in 2002.[33]

42. Entirely community-based initiatives are also of importance, with the diversity in their nature reflecting the creativity of their initiators in attempts to best respond to the specificity of a given situation. Such initiatives may be local, regional, national or international in nature. A key example of a global, community-based lifelong learning initiative is that of the University of the Third Age, commonly known as "U3A". By "third age" this concept refers to persons that are no longer

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[27] UNESCO Institute for Lifelong Learning, *About UIL*. See http://www.unesco.org/uil/en/about/about.htm.

[28] Commonwealth of Learning, http://www.col.org/about/whatis/Pages/default.aspx.

[29] The Academy offers a wide variety of programmes; see University of Delaware, Academy of Lifelong Learning, http://www.academy.udel.edu/about/index.html.

[30] See "Life Through Learning; Learning Through Life Scotland: The Lifelong Learning Strategy for Scotland", published by the Scottish Executive, February 2003, http://www.scotland.gov.uk/Resource/Doc/47032/0028819.pdf.

[31] Slovenian Institute for Adult Education, *Lifelong Learning Week*. See http://llw.acs.si/.

[32] Aitchison, J. and Alidou, H., *The state and development of adult learning and education in Subsaharan Africa — Regional synthesis report*, UNESCO Institute for Lifelong Learning, Hamburg, Germany, 2009, p. 18.

[33] Slovenian Institute for Adult Education, op. cit.

part of the active workforce. The first U3A was started in Toulouse, France, in 1972 and the model has since spread across Europe, as well as to such countries as Australia, Costa Rica and South Africa. Around 40 such universities now form a loose network across the globe. Although frequently associated with a local, regular university, they remain community-based initiatives. U3As have been described as a setting in which "the teachers learn and the learners teach".[34] Such learning cooperatives benefit from the varied knowledge, previous experiences and specific skills of their members when designating their teachers.

43. Study circles, as another form of community initiative, consist of small groups of people who meet repeatedly and usually on a regular basis to discuss a subject or issue of their choice. The groups may choose to treat a common interest or to find solutions to a mutual problem. While this form of learning does not have a teacher, study circles often nominate a moderator to provide a structure of sorts and ensure that all members present get the most out of any one meeting.

IV. Human rights learning

44. Lifelong learning plays an important role in generating new solutions to adapt to a changing environment, as well as strengthening international teamwork and active citizenship at all levels of consequent action. Today more than ever, it is evident that Government policies and development processes must be reformulated to ensure that they are applied to the true aims of a quality education, that is, in such a way that they are geared ever more closely to the creation of universal opportunities and rights and full enjoyment of the achievements of humanity.

45. The Special Rapporteur therefore believes that there is a pressing need to extensively and critically rethink educational proposals at all levels of action. It is widely recognized that a well-educated population allows for a more productive workforce, as lifelong learning includes both further education and on-the-job training. However, it is important that investments in education and educational reforms are not made based upon purely utilitarian considerations.

46. A commitment to present and future generations is needed, as well as a careful direction of learning processes and entire learning environments and infrastructure. Such developments form part of the lifelong learning approach. The advancement of knowledge, abilities and skills within a political body primed to respect dignity and the higher values of humanity, diversity, peace, solidarity and mutual cooperation should be aimed at. Moreover, the Special Rapporteur views lifelong learning without consideration of the rights of all, and especially without human rights learning, as standing in contradiction with the human rights obligations of States.

A. Concept of human rights learning

47. The United Nations has been particularly active in specifying educational objectives for member States, including those concerning human rights learning. The Charter of the United Nations (1945) calls for cooperation "in promoting and encouraging respect for human rights and fundamental freedoms" (Art. 1(3)).

[34] The Third Age Trust, http://www.u3a.org.uk/index.php?option=com_content&task=category&sectionid=4&id=16&Itemid=52.

Similarly, the Universal Declaration of Human Rights (1948) states that "[e]ducation shall be directed ... to the strengthening of respect for human rights and fundamental freedoms" (Art. 26(2)).

48. Numerous subsequent texts have reiterated these calls and have been accompanied by initiatives that aim to flesh out their actual meaning and content. Particularly noteworthy here is the declaration of the 1995-2004 United Nations Decade of Human Rights Education, which was seen as a unique strategy for the "building of a universal culture of human rights".[35] The declaration of the International Year of Human Rights Learning, beginning on 10 December 2008, further highlighted the importance assigned by the United Nations and the international community to human rights learning.[36]

49. In its resolution 49/184, the United Nations General Assembly outlined the basics of the notion of human rights learning or education by stating that it "should involve more than the provision of information and should constitute a comprehensive lifelong process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies". In so doing, human rights education "contributes to a concept of development consistent with the dignity of women and men of all ages". The Special Rapporteur also welcomes the recent role of the Human Rights Council Advisory Committee, which is discussing a draft United Nations Declaration on human rights education and training.[37] The Special Rapporteur hopes that such a future Declaration may offer a comprehensive, clear definition of human rights education and might spell out education activities encompassing fundamental human rights principles, such as equality and non-discrimination.

50. When considering the notion of human rights education, the unfortunate divide that has taken place, in theory and in practice, concerning the meaning of "education" must also be addressed. For many, education means the type of prescribed curriculum delivered through public education that introduces the student to a standard set of measures and principles, which define the status quo. Acquiring such information can be useful in many instances, but it is hardly adequate for the lifelong learning that will move individuals and societies towards the realization of a human rights culture. To arrive at this goal, transformative education in which the individuals gain a deep and personal understanding of the meaning and relevance of human rights for themselves and for fellow human beings must occur.

51. World-renowned peace educator and human rights scholar, Betty Reardon, has explained the reasons why this educational process should be referred to as human rights learning, rather than human rights education, as follows:

> "The basic distinction between Human Rights Education and Human Rights Learning is between education and learning. The word 'education' has been co-opted by those who determine what is to be taught, to whom and how it is

[35] A/51/506/Add.1, appendix, para. 2.

[36] See General Assembly resolutions 62/171 and 63/173, and also Suarez, D. and Ramirez, F., "Human rights and citizenship: the emergence of human rights education", *CDDRL Working Papers, No. 12*, Center on Democracy, Development, and the Rule of Law, Stanford Institute for International Studies, Stanford, 2004, p. 42.

[37] See Human Rights Council resolution 6/10.

to be taught, not just by the schools, but any authority that has control over information. The purpose of education is usually to get people to believe what and think as the 'education authorities' want them to. Learning has not yet been so co-opted. Learning can still be what happens in those who are presented with ideas, issues, values, queries about problems, and through reflection, analysis, assessment and evaluation come to understand and hold independent ideas about their societies and as much of the world as they 'learn' about.

Education has become mainly input. If it has any authentic output it is learning. But mainly it is socialization to conformity and indoctrination in the dominant value system. Authentic learning happens in and at the will of the learner. Human Rights Learning is more consistent than human rights education with the fundamental purpose of human rights concepts and standards, making it possible for all persons to realize their full human dignity. It begins with assuming the rights of the learners to decide themselves what they will believe and develops means through which the learners can acquire information while forming their own opinions and determining their own course of action about the issues of concern to them. (There are still some places in which education is centred on learning, but few. Education at least provides basic information. For the reflective who can resist indoctrination, it can be the beginning of learning. And where people have none of the tools of acquiring information, it is better than nothing.)

However, in the absence of authentic Human Rights Learning people will not be able to achieve their full dignity. Education may provide information about human rights, but it will not necessarily enable learners to develop the capacity and the motivation to fully realize them."[38]

52. The most prominent feature of the mode of human rights learning explained above is the concept and practice of a transformative pedagogy of human rights, which holds the potential for altering the power structure behind most forms of inequities and oppression. This concept of transformative learning is similar to the "deep approach" to learning or active learning according to which the learner reaches a personal understanding of the material presented and interacts critically with the content, relating it to previous knowledge and experience, as well as examines evidence and evaluates the logical steps by which conclusion shave been reached. This concept also challenges the "surface approach" or the traditional teacher-centred approach.[39]

53. In more practical terms, human rights learning has also been defined as "a developing field and curricular movement"[40] that includes "training, dissemination,

[38] Reardon, Betty, in Koening, Shulamith, "The nature of human rights learning: For all to know human rights as a way of life". Speech delivered for the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights, accessible at http://www.pdhre.org/shula-vienna.pdf.

[39] See Jones, R. and Scully, J. (1996) "Hypertext within Legal Education", 1996 (2) *The Journal of Information Law and Technology*, accessible at http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/1996_2/jones/.

[40] Suarez and Ramirez, 2004, op. cit., p. 2.

and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes".[41]

54. Human rights learning is a prerequisite of lifelong learning, but the opposite is equally true. The Special Rapporteur therefore deems lifelong learning and human rights learning to be inextricably linked and essential for every society. Furthermore, the Special Rapporteur stresses that human rights learning must involve education as a whole and not simply be applied to isolated parts of the curriculum in a formal learning context.

B. Initiatives promoting human rights learning

55. The Special Rapporteur has been informed of numerous concepts and initiatives that aim to further human rights learning, including those of civil society actors, international organizations and individual State Governments.

56. The People's Movement for Human Rights Learning has been the key promoter of the concept of human rights communities. The members of such a community, also referred to as a human rights city, include everyone "from ordinary citizens and community activists to policy-makers and local officials". What makes a city a human rights city is the fact that community members "pursue a community-wide dialogue and launch actions to improve the life and security of women, men and children based on human rights norms and standards".[42]

57. This process includes efforts to increase a community's awareness of actions that they can take to effectively realize the political, civil, economic, social and cultural rights that they are entitled to. The human rights cities initiative is therefore built upon the belief that the transformation of human rights norms and standards from paper into practice requires citizens to learn of and understand their human rights, and to do so throughout their lives. The precise method by which this human rights education takes place is dependent upon social, economic, historical and cultural specificities of a given community. It frequently features the establishment of a steering committee, which represents the key sectors of society, and which drafts a plan of action, monitors and evaluates its implementation and plays a leading role in assisting other communities in adopting similar models.[43]

58. An example of an international non-governmental organization that is active in the field of human rights learning is Human Rights Education Associates (HREA). This initiative supports human rights learning, trains both activists and professionals, conducts research and evaluation, develops educational material and programmes and assists community-building through online technologies. In doing so, HREA works together with individuals, Governments, non-governmental organizations and international organizations.[44]

59. The work of HREA includes the coordination of the Global Human Rights Education Network, which is involved in information and advocacy activities. It brings

[41] HR/PUB/Decade/1998/1.

[42] Marks, S. P. and Modrowski, K. A., *Human Rights Cities — Civic Engagement for Societal Development*, People's Movement for Human Rights Learning, 2008, p. 45.

[43] Ibid., pp. 46-49.

[44] For more information, see Human Rights Education Associates, http://www.hrea.org/index.php?doc_id=97.

together organizations that are involved in education and training activities and which promote human rights learning. Such voluntary networks are able to promote and facilitate the sharing of information as well as best practices among their members. The simple fact that fundamental human rights shall apply to all people helps to highlight the value of such action in the field of human rights learning.

60. An additional example of how non-governmental organizations can work to further human rights learning, as an essential component of lifelong learning, is the HREA series of *Research in Human Rights Education Papers*. This series aims to both encourage and distribute the results of research and assessments conducted in the field of human rights learning. The papers are written for a target audience that includes practitioners, academics and financial supporters of the project alike.[45]

61. The wide-ranging work of individual States in the promotion of human rights learning can be shown by considering some examples from Central and Eastern Europe, which the Special Rapporteur views as being particularly illustrative. In cooperation with partners in the Netherlands and Denmark, the Government of Albania commissioned the drafting and nationwide distribution of activity books for primary school children, which introduce the concept of human rights. In Poland, special emphasis has been placed upon the use of the media in heightening public awareness of international human rights instruments. This was achieved, inter alia, through the development of a series of half-hour informative television programmes that were not only aired publicly but also made available in videocassette form to educational institutes and non-governmental organizations. Human rights learning has also been promoted through extra-curricular arts, in the context of teacher training courses and through youth campaigns in Romania, Slovakia and Slovenia, respectively.[46]

V. Conclusions and recommendations

62. **The Special Rapporteur believes that the irrefutable need for education should be interpreted as broadly as possible, and in this context, he has thought it essential to raise the issue of lifelong learning and human rights. Learning must be seen as a lifelong experience, as it is a process that is forever incomplete. Created by adult educators to heighten awareness of and understanding for their efforts, the term "lifelong learning" encompasses formal, informal and non-formal education. Initiatives launched to promote lifelong learning can be found at the national as well as international level, in both governmental and non-governmental sectors. The Special Rapporteur views efforts made by intergovernmental bodies, such as the European Union and the United Nations Educational, Scientific and Cultural Organization, to be particularly illustrative of the possible implications of lifelong learning. He also believes that great potential lies with community-based initiatives, of which Universities of the Third Age (U3As) and study circles are just two of the many examples described in the present report.**

[45] Tekeli, K., *Human Rights Training for Adults: What Twenty-Six Evaluation Studies Say About Design, Implementation and Follow-Up*, Research in Human Rights Education Papers, Human Rights Education Associates, August 2007.

[46] Tibbits, F., *Case Studies in Human Rights Education: Examples from Central and Eastern Europe*, Council of Europe/HREA, 1997.

63. However, the Special Rapporteur insists that lifelong learning needs to move closer to the context of human rights, as this is essential for progression to a society free from all forms of prejudice, exclusion and discrimination and the realization of a global human rights culture. The concept of human rights learning is mutually interdependent with that of lifelong learning. To help illustrate this interdependence, the Special Rapporteur drew upon concepts and initiatives concerning human rights learning that he has seen in practice and has been made aware of. These range from the internationally recognized notion of human rights cities, to the work of particular non-governmental organizations, to the efforts of particular States.

64. The Special Rapporteur calls upon the international community to rethink, in a critical manner, educational proposals at all levels of action. It is important that investments into education and educational reforms not be made based upon purely utilitarian considerations to allow for a more productive workforce, nor focus merely on job training. The Special Rapporteur believes that the higher values of humanity, diversity, peace, solidarity and mutual cooperation should be pursued through constant, lifelong advancement of knowledge, abilities and skills.

65. The Special Rapporteur encourages the initiatives presented, which encompass both human rights and lifelong learning, and calls upon Governments, international organizations, civil society actors and human rights activists to draw upon those examples in working towards the realization of a global human rights culture.

66. The Special Rapporteur recommends to Member States and civil society organizations that they diversify and deepen their community-based experiences of human rights learning, so that the experiences realized in connection with the World Programme on Human Rights Education also have their equivalent in other communities, which would make it possible to further extend the target audience. To this end, new participatory methodologies that can cover the processes of alphabetization, training and divulgation need to be designed. The interchange of community experiences has been shown to be a suitable mechanism for promoting the best practices of human rights learning.

67. The Special Rapporteur also calls upon Governments to develop more and better experiences that involve communities in the learning processes of human rights, so that those learning processes may also spill over and be reflected in the formal schooling system and in other informal educational activities. Adult education, in particular, should contain a strong emphasis on the learning of human rights, so as to enable adults to develop the capacity and motivation to fully realize human rights in their daily activities and interactions. This would allow them to realize and be conscious of the conditions of inequalities and injustices that surround them and that they sometimes unconsciously contribute to.

68. Finally, the Special Rapporteur recommends that national human rights institutions reinforce their own capacities with a vision that integrates human rights learning, so that, when dealing with specific complaints of human rights violations, those institutions also take the opportunity to raise awareness of the need to build a culture that encompasses human rights.